

Application No.: 10/823,451

Docket No.: JCLA12897

## **REMARKS**

### **Present Status of the Application**

Claims 1-26 are subjected to Election/Restrictions.

Applicant preliminarily elects Species 2 for claims 8-13, with arguments. Applicant has also added claims 27-28.

Applicants respectfully request the concurrent consideration of Species 1-4, for claims 1-24 and claims 27-28.

Claims 25-26 have been deleted and reserved for a divisional application later.

### **Discussion of Election/Restrictions**

The Office Action considers that the present invention includes six distinct Species. Species 2 with claims 8-13 is preliminarily elected. Applicants respectfully traverse the request of Election/Restriction on Species 1-4 for at least the reasons set forth below.

1. In general for the Species 1-4 (FIGs. 4-11) as recited in claims 1-7, 8-13, 14-19 and 20-24, the collecting room 238 is disclosed. The collecting room 238 can be further, for example, defined by the first area 236a and the second area 236b (Species 1 and Species 3). In other words, the difference between Species 1 and 2 or between Species 3 and 4 is the collecting room, which can be alternatively defined by the first area and the second area.

Therefore, at least, Species 1 and 2 can be considered together for claims 1-13. Similarly, Species 3 and 4 can be grouped together.

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2. In further consideration, the difference between FIGs. 4-10 and FIG. 11 is that the chamber layer and the nozzle plate are separated layers (FIGs. 4-10) or the chamber layer and the nozzle plate are integrated as a single layer (FIG. 11). The achieving function is similar. Therefore, it is reasonable to consider FIGs. 4-10 and FIG. 11 together when considering the achieving function.

In other words, the difference between elected Species 2 and Species 4 is the separated layers or the integrated single layer. Similarly, the difference between Species 1 and Species 3 is the separated layers or the integrated single layer.

3. As discussed above, although Species 2 is preliminarily elected, Species 1 is a design choice within the scope of Species 2. The difference between Species 2 and Species 4 is that the chamber layer and the nozzle plate are separated formed or formed by an integrated single layer. In other words, Species 2 and Species 4 can be considered together.

With respect to Species 3, it uses the first area and the second area to define the collecting room while the Species 2 uses the integrated single layer to define the chamber layer and the nozzle plate. It is believed that Species 3 can be reasonably considered together with Species 2.

In conclusions, Species 1-4 can be reasonably considered together.

4. Under elected Species 2, Applicants have added claims 27-28, in which the nozzle structural layer is recited without limiting to a single layer or separated layers formed together.

Further, claims 27 does not limit to the ink slot while the collecting room is recited. In other words, claim 27 does not preclude the specific arrangement of the ink slot in FIG. 12 for

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example. Claim 28 recites the collecting room and the the nozzle structural layer with the ink slot. The chamber layer and the nozzle plate can be considered as a structural layer without limiting to a single layer or multiple layers.

For at least the foregoing reasons, Applicant respectfully submits that claims 1-24 and 27-28 for concurrently considering together.

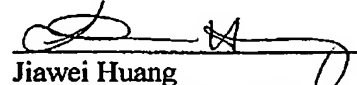
### CONCLUSION

For at least the foregoing reasons, it is believed that all the pending claims 1-24 and 27-28 of the invention patently define over the prior art and are in proper condition for allowance. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

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